



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KECK et al.
Serial No.: 09/601,997
Customer No.: 24961
Filing Date: December 15, 2000
Conf. No.: 5984
For: **NON-BACTERIAL CLONING IN
DELIVERY AND EXPRESSION OF
NUCLEIC ACIDS**
Art Unit: 1635
Examiner: Epps, Janet L.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number
EV 338076948 US
Date of Deposit May 21, 2003

I hereby certify that this paper and the attached papers are being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on the date indicated above and addressed to:

Mail Stop Petition
Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

05/21/2003
Date

Michael Lough

PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(b)

Mail Stop Petition
Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

MAY 28 2003

TECH CENTER 1600/2900

Dear Sir:

This is a Petition pursuant to 37 C.F.R. §1.48(b) to change inventorship of the above-captioned application to the sole inventor named as applicant in the caption hereof. This change in inventorship is necessitated by cancellation of claims from the application.

It is herein respectfully requested that the inventorship of the above-identified application be changed by removing Jocelyn Molony and Sophia Kuo from the joint inventors on the application as filed. Upon such a change in inventorship, the remaining inventor is James Keck. This individual is sole inventor of the subject matter of the pending claims in the application.

The change in inventorship requested in this Petition is necessitated by cancellation of claims in the application. Specifically, claims 1-7 and 15-57 were cancelled during prosecution.

Jocelyn Molony and Sophia Kuo did not contribute to the conception of the subject matter of any of claims 8-14 and 58-72, which are pending in the application. Consequently, Jocelyn Molony and Sophia Kuo are not joint

U.S.S.N. 09/601,997
KECK et al.
REQUEST UNDER 37 C.F.R § 1.48(b)

inventors of the subject matter of any of the allowed claims, thereby necessitating deletion of their names from among the joint inventors of the application.

Enclosed herewith is a check for the fee for this Petition, as prescribed in 37 C.F.R. §1.17(h). If the accompanying fee is incorrect or missing or should additional fees be required, authorization is hereby given to charge Deposit Account No. 50-1213.

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By: _____

Stephanie L. Seidman
Registration No. 33,779

Attorney Docket No.: 24743-2307US
Address all correspondence to:
Stephanie L. Seidman, Esq.
HELLER, EHRMAN, WHITE & McAULIFFE LLP
4350 La Jolla Village Drive, 7th Floor
San Diego, California 92122-1246
Telephone: (858) 450-8400
Facsimile: (858) 587-5360
EMAIL: sseidman@hewm.com